

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the Attorney of Record, Stephen J. Manich, on January 21, 1010. Please refer to the attached Interview Summary Form.

REJOINDER OF CLAIMS

It is noted that previously withdrawn claims 3-4, 8, 9 and 26 are being rejoined and allowed in accordance with MPEP 1302.04(h).

The application has been amended as follows:

In the claims (see the amendment filed on 10/14/2009):

In claim 1, line 21: replaced "sleeve" with - - component - - for consistency with claim language.

In claim 6, line 21: immediately after "widest" and immediately before "between" inserted - - at a location - - to better define Applicant's invention.

In claim 24, line 2: immediately after "component" and immediately before "having" inserted - - comprising a distal femoral component - - and further in the same line, replaced the phrase "an articulating surface to replace a portion of a" with - - a pair of spaced curved distal articulating surfaces; - - to better define Applicant's invention.

In claim 24, deleted line 3.

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In claim 24, line 9: immediately after “two” and immediately before “tapered” inserted - - uniformly - - to better define Applicant’s invention.

In claim 24, line 10: replaced “being at” with - - defining - - to better define Applicant’s invention.

In claim 24, line 12: replaced “being at” with - - defining - - to better define Applicant's invention.

In claim 24, line 14: immediately after “adapter” replaced “and being aligned” with - - , each post having a longitudinal axis, wherein the longitudinal axis of each post is collinear with the central longitudinal axis of the adapter. - -

In claim 24, deleted line 15.

In claim 25, line 1: deleted “the first implantable component comprises” to better define Applicant's invention.

In claim 25, line 2: deleted "a distal femoral component and" to better define Applicant's invention.

In claim 26, line 4: replaced "distal femoral" with - - first implantable - - for consistency.

Canceled claims 35 and 36.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anu Ramana whose telephone number is (571) 272-4718. The examiner can normally be reached Monday through Friday between 8:00 am to 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Barrett can be reached at (571) 272-4746. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AR

January 25, 2010

/Anu Ramana/

Primary Examiner, Art Unit 3775